

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

GORDON W. SAGE,	:	
Petitioner,	:	Case No. 3:13-cv-408
- vs -	:	District Judge Thomas M. Rose
		Magistrate Judge Michael R. Merz
WARDEN, London Correctional	:	
Institution,	:	
	:	
Respondent.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #2), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

It is hereby ORDERED that the Petition is a “second or successive” petition within the meaning of the AEDPA and is TRANSFERRED to the United States Court of Appeals for the Sixth Circuit for a determination of whether Petitioner may proceed.

January 7, 2014

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge